

FILED BY  D.C.

05 AUG 29 AM 11:49

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

THOMAS & BETTS INTERNATIONAL, INC.
and THOMAS & BETTS CORPORATION

Plaintiff,

Civil Action No. 05-2333 - Ma V

v.

JOHN MEZZALINGUA ASSOCIATES, INC.
d/b/a PPC, INC.

JURY TRIAL DEMANDED

Defendant.

JOINT ~~PROPOSED~~ SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held August 18, 2005. Present were Kelly A. Clement and Jason F. Hoffman, counsel for plaintiffs, and Jef Feibelman and James R. Muldoon, counsel for defendant. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO F.R.C.P. 26(a)(1): September 1, 2005.

JOINING PARTIES: October 21, 2005

AMENDING PLEADINGS: October 21, 2005

INITIAL MOTIONS TO DISMISS: November 18, 2005

PARTIES' EXCHANGE OF PRELIMINARY LIST OF PROPOSED CLAIM CONSTRUCTIONS: January 25, 2006.

PARTIES' OPENING CLAIM CONSTRUCTION BRIEFING: February 3, 2006.

PARTIES' RESPONSIVE CLAIM CONSTRUCTION BRIEFING: February 24, 2006.

CLAIM CONSTRUCTION HEARING: To be set by the District Judge. March of 2006 requested.

COMPLETING ALL DISCOVERY: August 26, 2006.

- (a) DOCUMENT PRODUCTION: May 12, 2006
- (b) FACT DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: June 16, 2006.
- (c) EXPERT WITNESS DISCLOSURE (Rule 26):
 - (1) DISCLOSURE OF RULE 26 EXPERT INFORMATION ON MATTERS FOR WHICH A PARTY HAS THE BURDEN OF PROOF: June 23, 2006.
 - (2) DISCLOSURE OF RULE 26 REBUTTAL EXPERT INFORMATION: July 14, 2006.
 - (3) EXPERT WITNESS DEPOSITIONS: August 26, 2006.

FILING DISPOSITIVE MOTIONS: September 26, 2006.

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 7-10 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

Plaintiffs contend that, at this juncture, this case is not appropriate for mediation or other form of ADR. Defendant contends that this case is appropriate for mediation or another mutually agreeable form of ADR.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

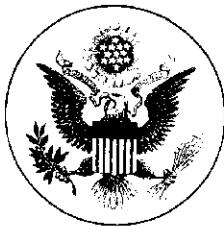
The parties have not consented to trial before the magistrate judge.

This Order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

Diane K. Vescovo
DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE

DATE: August 26, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 21 in case 2:05-CV-02333 was distributed by fax, mail, or direct printing on September 2, 2005 to the parties listed.

Kelly A. Clement
HOWREY SIMON ARNOLD & WHITE LLP
1299 Pennsylvania Avenue N. W.
Washington, DC 20004

Charles F. Newman
BURCH PORTER & JOHNSON
130 N. Court Avenue
Memphis, TN 38103--221

Jonathan C. Hancock
GLANKLER BROWN, PLLC
One Commerce Square
Suite 1700
Memphis, TN 38103

Alan M. Fisch
HOWREY SIMON ARNOLD & WHITE LLP
1299 Pennsylvania Avenue N. W.
Washington, DC 20004

Eric S. Schlichter
HOWREY LLP
750 Bering Drive
Houston, TX 77057

Jef Feibelman
BURCH PORTER & JOHNSON
130 N. Court Avenue
Memphis, TN 38103

James R. Muldoon
WALL MARJAMA & BILINSKI, LLP
101 S. Salina St.
Ste. 400
Syracuse, NY 13202

Jason F. Hoffman
HOWREY SIMON ARNOLD & WHITE LLP
1299 Pennsylvania Avenue N. W.
Washington, DC 20004

Honorable Samuel Mays
US DISTRICT COURT